



General Assembly

January Session, 2009

***Raised Bill No. 6511***

LCO No. 3672

\*03672\_\_\_\_\_ET\_\*

Referred to Committee on Energy and Technology

Introduced by:  
(ET)

***AN ACT CONCERNING TRANSPARENCY AND OVERSIGHT OF  
GASOLINE MARKETS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. (NEW) (*Effective from passage*) Sections 1 to 6, inclusive, of  
2       this act shall be known as and may be cited as the "Fuel Market  
3       Transparency and Oversight Act".

4       Sec. 2. (NEW) (*Effective from passage*) As used in sections 1 to 6,  
5       inclusive, of this act:

6       (1) "Dealer tank wagon price" means the differentiated zone price  
7       branded gasoline distributors charge service station dealers;

8       (2) "Fuel" means "fuels", as defined in section 14-1 of the general  
9       statutes, diesel fuel and number two heating oil, but does not include  
10      aviation fuel;

11      (3) "Person" has the same meaning as provided in section 14-1 of the  
12      general statutes;

13      (4) "Petroleum refiner" means any producer or refiner of petroleum

14 products that annually provides more than one million gallons of  
15 gasoline for sale in the state; and

16 (5) "Service station dealer" means any person or entity engaged in  
17 the retail sale of gasoline, in the state, to the public.

18 Sec. 3. (NEW) (*Effective from passage*) On or before October 1, 2009,  
19 each petroleum refiner that sold gasoline directly to a service station  
20 dealer in Connecticut via a dealer tank wagon price during 2006, 2007  
21 and 2008 shall electronically report to the Office of Policy and  
22 Management such dealer tank wagon price for said years.

23 Sec. 4. (NEW) (*Effective from passage*) The Office of Policy and  
24 Management may purchase price data from data service companies  
25 that said office may use to assist in analyzing fuel price and supply  
26 data. Said office shall prescribe applicable standards and practices for  
27 reporting to facilitate uniformity, consistency and comparability of the  
28 data to be submitted pursuant to section 3 of this act. Said office shall  
29 analyze price data reported pursuant to section 3 of this act and shall,  
30 not later than December 31, 2009, report its findings, in accordance  
31 with the provisions of section 11-4a of the general statutes, to the joint  
32 standing committee of the General Assembly having cognizance of  
33 matters relating to consumer protection. Such analysis shall take into  
34 consideration prior studies of dealer tank wagon prices in Connecticut  
35 and any relevant Federal Trade Commission reports.

36 Sec. 5. (NEW) (*Effective from passage*) Information reported pursuant  
37 to section 3 of this act, which shall be maintained by the Office of  
38 Policy and Management, shall be considered trade secrets and  
39 proprietary and confidential in nature and shall be exempt from  
40 disclosure pursuant to chapter 14 of the general statutes, unless such  
41 information is aggregate in form and is not attributed to a particular  
42 company.

43 Sec. 6. (NEW) (*Effective from passage*) (a) The Office of Policy and  
44 Management shall notify those persons or entities that have failed to

45 timely provide the information required pursuant to section 3 of this  
46 act.

47 (b) If a person or entity fails to supply information required  
48 pursuant to section 3 of this act within twenty business days after  
49 being notified of the failure to provide the required information  
50 pursuant to subsection (a) of this section, such person or entity shall  
51 forfeit and pay to the state a civil penalty of one thousand dollars per  
52 day for each day the submission of such information is refused or  
53 delayed.

54 (c) If any person or entity, or any employee of such person or entity,  
55 wilfully makes a false statement, representation or certification in a  
56 record, report, plan or other document provided to the Office of Policy  
57 and Management pursuant to section 3 of this act, the Attorney  
58 General, upon petition to the court, may recover on behalf of the state  
59 a civil penalty not to exceed fifty thousand dollars against such person,  
60 entity or employee. For purposes of this subsection, a wilful violation  
61 occurs when the party who committed the violation knew or should  
62 have known that such conduct was a violation of section 3 of this act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>from passage</i>	New section
Sec. 5	<i>from passage</i>	New section
Sec. 6	<i>from passage</i>	New section

***Statement of Purpose:***

To require petroleum refiners to submit pricing and supply information to the Office of Policy and Management.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*